Remarks

Claims 1, 9, 17, 27, 31 and 32 are amended. No claims are cancelled or added. Reexamination and reconsideration of this application, as amended, are respectfully requested.

The Examiner objected to the depiction of multiple transmission mediums 4 in Figure 1 as being inconsistent the specification's reference to a single transmission medium 4. The applicants have amended the specification to set forth plural transmission mediums 4 as consistent with what is shown in Figure 1. The applicant respectfully submits that this objection has been addressed and that no new matter has been added.

The Examiner objected to Figure 4 as showing a "reformat" element 306 referred to as a "reformatter 306" in the specification. The specification has been amended to set forth a "reformat section 306" to be consistent with Figure 4. The applicant respectfully submits that this objection has been addressed and that no new matter has been added.

The Examiner identified some additional informalities in the specification which have been addressed by amendment. Regarding the Examiner's objection to the term "atomically," however, the applicant respectfully submits that this was not a typographical error and that no correction should be required.

The Examiner objected to the last two claims labeled "28" and "29." These claims have been amended to be correctly labeled as claims - -31- - and - -32- -, respectively.

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The Examiner rejected claims 1 – 6, 9 – 14, 17 – 24 and 27 – 32 as being anticipated by U.S. Patent No. 6,650,624 to Quigley et al. (the "'624 patent") under 35 USC § 102 (e). This rejection is respectfully traversed.

The specification of the present application relates to a client termination device that receives downstream management messages in packets received from a headend. The received management messages include encapsulated bandwidth allocation elements and a cyclic redundancy code (CRC). As illustrated with reference to Figure 4, upon receipt of a downstream management message, the client termination device may store bandwidth allocation information based upon selected bandwidth allocation elements in a data buffer 334 and then attempt to validate the CRC. Upon validation of the CRC, the data buffer 324 outputs stored bandwidth allocation elements are outputted to an upstream message processor or controller in response to a "commit" signal. If the CRC is determined to be valid, the data buffer 324 discards the stored bandwidth allocation elements in response to a "discard" signal. Accordingly, bandwidth allocation messages encapsulated in a management message may be filtered to selectively provide bandwidth allocation information to the upstream message processor or controller in response to a valid CRC. [specification, para. 39]

The '624 patent appears to show a cable modem used in combination with a cable modem termination system (CMTS). Figures 7A and 7B are block diagrams of a subsystem *at a subscriber modem* for receiving packets. ['624 patent, col. 4, ll. 31 – 38] Figures 8A and 8B show a complementary subsystem that may process packets received from a subscriber modem *at a CMTS or headend*. ['624 patent, col. 4, ll. 39 – 46 and col. 25, ll. 44 – 49] In connection with the subsystem shown in Figures 7A and

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7B, the Examiner appears to assert that MAP information elements 433 defining time slots during which individual cable modems may be transmitted on a particular upstream channel to the CMTS. ['624 patent, col. 54, ll. 54 – 67] The Examiner also appears to assert that these MAP information elements 433 are stored in data buffers 533 in the subsystem of Figures 8A and 8B at the CMTS, and then outputted from the data buffers 445 in response to a CRC validation. The Applicants respectfully point out to the Examiner that in attempting to read the limitations of the claims onto the '624 patent, the Examiner is apply some details from a subscriber modem and some details from a CMTS. The Examiner has not shown that the elements of any claim read on a single subscriber modem.

Claim 1 distinguishes over the '624 patent by reciting, inter alia:

receiving a downstream management message *at a client termination device*, the client termination device comprising a data buffer, the downstream management message comprising one or more bandwidth allocation elements and a cyclic redundancy code (CRC); . . . and

outputting the stored bandwidth allocation information from the data buffer *in response to detecting a validation of the CRC*. [emphasis added]

Merely showing receipt of packets at *a subscriber modem* (Figures 7A and 7B) and output of information from a FIFO buffer at a *headend or CMTS* (Figures 8A and 8B), the '624 patent does not disclose, suggest or make obvious "outputting the stored bandwidth allocation information from the data buffer [in a client termination device] *in response to detecting a validation of the CRC*." Accordingly, claim 1, and claims 2 – 8 depending therefrom, distinguish over the '624 patent. The remaining claims recite limitations similar to those in claim 1 which are quoted above. Accordingly, the applicants respectfully submits these claims similarly distinguish over the '624 patent.
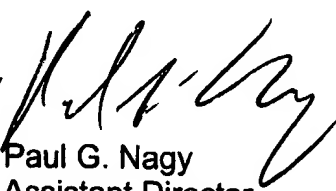
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The applicants respectfully submit that the application is now in form for

allowance. Reconsideration of this case is respectfully requested. Please charge

Deposit Account #02-2666 for any fee payment deficiencies associated with this case. If

the Examiner finds that this case is in any way not in proper form for allowance, the

applicants request that the Examiner contact the applicants' representative at (310) 252-

7621.

Respectfully submitted,

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by

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